



IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: October 06, 2023

A handwritten signature in black ink, appearing to read "Shad M. Robinson".

**SHAD M. ROBINSON
UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

In re:	§	Chapter 11
	§	
Bentoli, Inc.	§	
	§	Case No. 23-10827
	§	SubChapter V
Debtor	§	

**ORDER GRANTING DEBTOR'S MOTION TO MAINTAIN AND
USE PREPETITION BANK ACCOUNT**

CAME ON for consideration the Debtor's Motion to Maintain and Use Prepetition Bank Account ("the Motion"). Debtor seeks the issuance and entry of an Order authorizing the continued maintenance and use of its prepetition bank account number *****9965 at Independent Bank.

The Court finds that (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) the relief requested in the Motion is in the best interests of the Debtor, its estate and its creditors; (iv) proper and adequate notice of the Motion has been given and that no other or further notice is necessary; (v) all objections to the Motion have been resolved by this Order or are overruled in

their entirety; and (vi) upon the record herein after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein.

ORDERED that the Motion be, and it is hereby granted and approved with the following conditions; it is further

ORDERED that the Debtor is hereby authorized and empowered to continue to use, with the same account number, number *****9965 at Independent Bank; it is further

ORDERED that nothing contained herein shall prevent the Debtor from opening or closing such bank account as it may deem necessary and appropriate, upon further Motion and by Court Order; it is further

ORDERED that the Debtor is hereby authorized and empowered to continue to use its existing checks until such supply of existing checks is exhausted; but the Debtor shall clearly imprint on each check the case name and number and “Debtor-in-Possession.” Any new check stock ordered by the Debtor shall contain the “Debtor-in-Possession” label and case number; it is further

ORDERED that the Debtor shall close all pre-petition accounts, other than the Independent Bank account set forth herein, within 15 days of entry of this order; it is further

ORDERED that the Debtor will provide to the Office of the United States Trustee the location and account number of any additional Debtor-in-Possession accounts opened by the Debtor; it is further

ORDERED that the Debtor will provide the United States Trustee with sufficient evidence to show that all accounts have been properly styled as Debtor-in-Possession accounts; it is further

ORDERED that the Debtor, within seven (7) days from entry of this Order, shall cause a copy of this Order to be served on Independent Bank, any other bank at which a bank account is

maintained, and counsel to any creditors' committee, if one has been appointed in the Debtor's chapter 11 case; it is further

ORDERED that all institutions maintaining an account which constitute authorized depositories shall comply with the reporting requirements of the United States Trustee for such authorized depository; it is further

ORDERED that the Debtor, on or before 15 days after entry of this Order, shall provide to the United States Trustee a reconciliation for the following account number:

1. Independent Bank – Account Number *****9965

as of petition date, October 1, 2023, including copies of bank statements and lists of outstanding checks with dates, payees and amounts; it is further

ORDERED that at no time shall the Debtor maintain balances with any bank account in excess of the federally-insured limit, currently \$250,000.00, unless the funds are held in a Debtor-in-Possession account in a bank that is an authorized depository with the United States Trustee, Region 7, Southern and Western Districts of Texas; it is further

ORDERED that Debtor shall attach a copy of the monthly bank statement for its bank account at Independent Bank to its monthly operating reports; it is further

ORDERED that the Debtor is authorized to continue paying monthly fees with respect to the prepetition bank account in the ordinary course of business, including any portion of such fees attributable to prepetition services; it is further

ORDERED that nothing in this Order shall preclude the Debtor or any other party in interest from seeking modification of this Order upon motion to this Court.

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Submitted By:

By: /s/ Ronald J. Smeberg

RONALD J. SMEBERG

State Bar No. 24033967

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